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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,055	01/30/2002	Julia Burrows Kavounis	82001-0195	4468
24633	7590	11/16/2004	EXAMINER	
HOGAN & HARTSON LLP IP GROUP, COLUMBIA SQUARE 555 THIRTEENTH STREET, N.W. WASHINGTON, DC 20004			PARDO, THUY N	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/059,055	Applicant(s) KAVOUNIS ET AL.	
	Examiner Thuy Pardo	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Applicant's Application filed on January 30, 2001 has been reviewed.
2. Claims 1-32 are presented for examination.

Object to claims

3. Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claims, or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. This claim can not be examined, because the parent of this claim is unknown. However, in the interest of the compact prosecution, assume claim 6 depended on claim 1.

Information Disclosure Statement

4. The listing of references in the specification (page 5 lines 27 to page 6, lines 21) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

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5. The information disclosure statement filed on July 16, 2002 fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Adendorff et al. (Hereinafter “Adendorff”) U.S. Patent Application No. 2002/0099563.

As to claim 1, Adendorff teaches a method for displaying metrics and performance measurements from two or more network applications [display financial analysis key performance indicators in period 199 for all companies, see fig. 20; 0015 of page 2; 0108 of page 8], the method comprising:

retrieving a first data from a first network application and retrieving a second data from a second network application, said second data is disparate from said first data [collecting multiple business functional areas of organizations, 0101 of page 7];

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storing said first and said second data [storing in the data warehouse system, 100 of fig. 1];

creating a first key performance indicator from said first data and creating a second key performance indicator from said second data [“Open Stock Value indicator” and “Close stock Value indicator”, fig. 22]; and

displaying said key performance indicators through a single user interface [display a business model, fig. 20-22; 0098-0099 of page 7].

As to claim 2, Adendorff teaches the invention substantially as claimed. Adendorff further teaches creating two or more subject areas [“Current Ratio” and “Quick Ratio”, fig. 20].

As to claim 3, Adendorff teaches the invention substantially as claimed. Adendorff further teaches that said step of creating a first key performance indicator further comprises the step of using one of said subject areas to access said first data [“Current Ratio”, fig. 20].

As to claim 4, Adendorff teaches the invention substantially as claimed. Adendorff further creating a second key performance indicator further comprises the step of using one of said subject areas to access said second data [“Quick Ratio”, fig. 20].

As to claim 5, Adendorff teaches the invention substantially as claimed. Adendorff further teaches that said first network application is a pricing management application [0482, 0490-0503 of page 20].

As to claim 6, Adendorff teaches the invention substantially as claimed. Adendorff further teaches that said second network application is an application from the group consisting of supply chain management and supplier relationship applications [0140, 0146-0147 of page 9 and 0245 of page 15].

As to claim 7, Adendorff teaches the invention substantially as claimed. Adendorff further teaches said first data comprising of a dimension and a measure data [111, 112 of fig. 1].

As to claim 8, Adendorff teaches the invention substantially as claimed. Adendorff further teaches creating a data hierarchy structure based on said dimension data [0084 of page 6; 0164 of page 10; 0184 of page 12; 0198 of page 13].

As to claim 9, Adendorff teaches the invention substantially as claimed. Adendorff further teaches using said data hierarchy structure to aggregate said first data [0072-0074 of page 5].

As to claim 10, Adendorff teaches the invention substantially as claimed. Adendorff further teaches drilling down said aggregated data [0168 of page 11].

As to claim 11, Adendorff teaches the invention substantially as claimed. Adendorff further teaches displaying one of said first and said second data on said user display [fig. 20-21].

As to claim 12, Adendorff teaches the invention substantially as claimed. Adendorff further teaches defining a pre-define condition and highlighting said data being displayed based on said pre-defined condition [0163 of page 4; 0247 of page 15; fig. 25].

As to claim 13, Adendorff teaches the invention substantially as claimed. Adendorff further teaches defining a pre-defined condition and highlighting one of said key performance indicator based on said pre-defined condition [fig. 20-21].

As to claim 14, Adendorff teaches the invention substantially as claimed as specified in claim 1 above. Adendorff further teaches creating a third key performance indicator from said first and said second data [creation of a business model, 0172 of page. 11; 0236 of page. 14; 0304 of page 17].

As to claim 15, Adendorff teaches the invention substantially as claimed. Adendorff further teaches a ETL engine 0057 of page 3; 145 of fig. 4] and an OLAP server [0170 of page 11; 0206-0207 of page 13].

As to claims 16-23, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

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As to claims 24-32, they are apparatus claims of claims 1-23; therefore, they are rejected under the same rationale.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at 571-272-4083.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for*

“INFORMAL” or “Draft” communication. Examiner may request that a formal/amendment be faxed directly to them on occasions).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

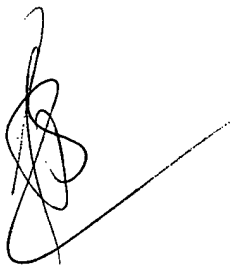
(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

November 12, 2004

A handwritten signature in black ink, appearing to be 'Thuy N. Fardo', with a long diagonal stroke extending from the bottom right of the signature.

**THUY N. FARDO
PRIMARY EXAMINER**